

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES E. FRANCIS,

Plaintiff,

v.

MAERSK LINE, LIMITED, et al.,

Defendants.

CASE NO. C03-2898C

ORDER

This matter comes before the Court on Defendant Maersk Line, Ltd.’s (“Maersk”) (Dkt. No. 182) and Defendant United States’ (Dkt. No. 184) separate Motions to Strike Plaintiff’s Jury Demand. Having reviewed the materials submitted by the parties and determined that oral argument is not necessary, Defendants’ motions are GRANTED.

Maersk argues in its motion that no cause of action against it remains under which Plaintiff has a right to a jury trial. (Dkt. No. 182.) In his response, Plaintiff withdraws his jury demand with respect to the remaining maintenance and cure claim pending against Maersk, and seeks to keep his right to jury trial over any subsequent claims against Maersk that may be brought. (Dkt. No. 196.) As a result, the Court hereby GRANTS Maersk’s Motion to Strike Plaintiff’s Jury Demand with respect to the claims currently remaining against it, but without prejudice to any right to jury trial Plaintiff may have on any subsequent

1 claims filed against Maersk.

2 The United States argues in its motion that because of sovereign immunity Plaintiff is not entitled
3 to a jury trial on his claims against the United States. (Dkt. No. 184.) Plaintiff states that the United
4 States' motion is moot because Plaintiff has not demanded a jury trial on his claims against the United
5 States and has acknowledged that he is not entitled to a jury trial on such claims. (Dkt. No. 195.)
6 Therefore, the Court hereby GRANTS the United States' Motion to Strike Plaintiff's Jury Demand on
7 the claims against the United States.

8 SO ORDERED this 7th day of December, 2005.

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12 UNITED STATES DISTRICT JUDGE
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